

# CHECKLIST

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- Ask a soldier if he or she has engaged in homosexual conduct only after receiving credible information of homosexual conduct. However, if the soldier chooses not to discuss the matter further, consider other available information.
- Give the soldier an opportunity to present evidence demonstrating that he or she does not engage in homosexual acts and does not have a propensity or intent to do so.
- Ensure that the inquiry is conducted properly and that no abuse of authority occurs.

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***BOTTOM LINE: Commanders are responsible for the safety of their soldiers.***

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## DEFINITIONS

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***Homosexual conduct:*** A homosexual act, a statement by a soldier that demonstrates a propensity or intent to engage in a homosexual act or acts, the solicitation of another to engage in a homosexual act or acts, or a homosexual “marriage” or attempted “marriage.”

***Statement by a person that he or she is homosexual or bisexual:*** Language or behavior that a reasonable person would believe intends to convey the statement that a soldier engages in, attempts to engage in, has a propensity to engage in or intends to engage in homosexual acts.

***Credible information:*** Information is credible when, considering its source and the surrounding circumstances, it supports a reasonable belief that a soldier has engaged in homosexual conduct. Credible information is not just based on a belief or suspicion but must be based on facts.